

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

KERI ANN MANKIN,

Plaintiff,

V.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Defendant.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Third Party Plaintiff,

V.

WANDA JUNE MANKIN,
RAYBURN O. MANKIN, and
THE ESTATE OF MARSHALL MANKIN,

Third Party Defendants.

[illegible]

Case No. 4:16-cv-00692

NOTICE OF ENTRY OF PROBATE COURT ORDER FOR INTERPLEADER DEPOSIT

Defendant and Third Party Plaintiff The Prudential Insurance Company of America (“Prudential”) hereby submits this supplemental filing in connection with the previously filed Joint Motion to Interplead Funds and Discharge and Dismiss Prudential [Doc. 16], which was filed jointly by all parties on December 28, 2016. By this supplemental filing, Prudential hereby provides notice to the Court that the Probate Court No. 2 of Tarrant County, Texas, referenced in the Joint Motion, entered an Order on January 12, 2017 for Interpleader deposit with that court of the group life insurance plan benefits at issue and which formed the basis for the

commencement of this Interpleader action. *A copy of such Order is attached hereto as **Exhibit A**.*

As a result of the entry of the Probate Court No. 2 Order, Prudential respectfully renews its request for consideration of the Joint Motion [Doc. 16] and entry of the proposed order submitted therewith [Doc. 16-1].

Wherefore, Prudential respectfully requests that this Court enter an Order permitting (1) Interpleader deposit of the insurance proceeds at issue with the Tarrant County Probate Court based upon entry of the January 12, 2017 Order by the Tarrant County Probate Court No. 2 permitting deposit with its Registry of Court; (2) discharging Prudential from all liability relating to the insurance proceeds at issue or otherwise in connection with Group Life Insurance Policy G-8033 following interpleader deposit of the funds with the Tarrant County Probate Court; (3) permanently enjoining the Adverse Claimants from making any further actual or implied claims, demands and causes of action, asserted or unasserted, express or implied, foreseen or unforeseen, real or imaginary, suspected or unsuspected, known or unknown, liquidated or unliquidated, of any kind or nature or description whatsoever, that the Adverse Claimants, jointly and severally, ever had, presently have, may have, or claim or assert to have, or hereinafter have, may have, or claim or assert to have, against Prudential only with respect to the death benefits at issue or otherwise in connection with the Plan, although the parties are not enjoined from making claims against each other, or third parties and with the Probate Court for their rights to the funds being deposited by Prudential; and (4) dismissing this action following Notice of interpleader deposit of the funds at issue with the Tarrant County Probate Court No. 2, without prejudice and without costs to any party.

Respectfully Submitted,

GRAY REED & MCGRAW LLP

By: /s/Gayla C. Crain

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**ATTORNEYS FOR DEFENDANT AND
THIRD PARTY PLAINTIFF THE
PRUDENTIAL INSURANCE COMPANY
OF AMERICA**

CERTIFICATE OF SERVICE

I certify that on January 18, 2017, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to all counsel who have consented in writing to accept this Motion as service of this document by electronic means.

/s/ Gayla C. Crain

Gayla C. Crain